

REMARKS

Claims 1 to 90 have been cancelled or withdrawn. Claims 91 to 104 are currently pending.

Claims 97 to 102 have been withdrawn by the Examiner since the Examiner has stated that the claims are directed at a nonelected invention. Applicant respectfully requests that these claims are supported at least by Figure 33 which was elected during the April 25, 2005 reply. Retraction of Examiner's withdrawal of Claims 97 to 102 is respectfully requested.

Claims 95 and 96 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicant respectfully disagrees and respectfully submits that Figure 33 provides the necessary support for Claims 95 and 96. As shown in Figure 33, the second flange 322 includes a backing plate portion 328 (first portion) and a gasket element 324 (second portion). The backing plate portion 328 includes a cylindrical recess (the inner diameter 330 and the inner surface 332) in one face thereof, coaxial with the central opening (clearly shown in Figure 33) and the other portion having a cylindrical outer portion (the entire gasket element) fitting the recess (as clearly shown in Figure 33). With respect to Claim 96, the second portion (gasket element 324) includes a recess (gasket recess 340) shaped to receive an annular sealing gasket (as described in the end of paragraph 62). Applicant respectfully submits that support for Claims 95 and 96 has now been shown. Retraction of Examiner's rejection of Claims 95 and 96 is respectfully requested.

Claims 91 to 94, 103 and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,299,216 to Thompson ("Thompson") in view of US Patent No. 4,792,162 to Medvick ("Medvick"). Applicant has amended Claim 91 to include the subject matter of the first and second portions being secured together. In Claim 103, the two portions are integrated together. The independent claims have also been amended to include the subject matter of at least one of the first or second portions being manufactured of sintered powder metal.

The Examiner has stated that Thompson discloses the subject matter of a two part flange (3, 33) for use with a gasket (37). However, a review of the two parts listed by the Examiner (such as shown in Figure 11) shows that the flange 5a is not secured to the support plate 33.

Rather, the support plate 33 is simply located between two flanges 5a and 5b. As described in column 7 lines 12 to 15 of Thompson, "During testing of the main seal 9, the sacrificial seals 37 close the gaps between the support plate 33 and the flanges 5a and 5b...". By stating this, it is clear that the support plate is not secured to either of the flanges and therefore, a two-part flange is not provided. In no way does Thompson disclose the claimed subject matter of "a two-part exhaust flange for mounting on the end of a first exhaust pipe for securing to a complementary exhaust flange". Instead, Thompson discloses a one piece exhaust flange 5a for securing to second exhaust flange 5b with a support plate 33 therebetween to assist in the sealing. Furthermore, Applicant respectfully submits that Medvick does not disclose the subject matter of the first and second portions of a two part flange being secured or integrated together. For the same reasons, Applicant respectfully believes that Claims 97 to 102 are also allowable. Retraction of Examiner's rejection of Claims 91 to 94, 103 and 104 is respectfully requested.

In view of the preceding, Applicant believes that the application is now in condition for a Notice of Allowance, which Applicant respectfully requests.

Yours truly,

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